

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRANCOIS MARLAND	:	
	:	
Plaintiff,	:	
	:	08 Civ. 3751 (LAK) (DCF)
against	:	ECF CASE
	:	
MATTHEW HEYSEL, and	:	NOTICE OF MOTION
BIG SKY ENERGY CORPORATION,	:	TO DISMISS
	:	
Defendants.	:	

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TO: Andrew Hayes, Esq.
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New York, NY 10020
Counsel for Plaintiff-Francois Marland

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss and the attached Declaration of Matthew Heyssel, Defendants will move this Court, before the Honorable Lewis Kaplan, United States District Judge, 500 Pearl Street, New York, New York, for an order dismissing Plaintiff Francois Marland's Complaint, with prejudice, pursuant to Rule 12(b)(1) and Rule 12(b)(2) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 6.1(b), any opposing papers shall be served by July 2, 2008, and any reply papers shall be served by July 10, 2008.

Dated: New York, New York
June 18, 2008

Respectfully submitted,

PROSKAUER ROSE LLP

By:

A handwritten signature in black ink, appearing to read 'L.B. Chinn', written over a horizontal line.

Lloyd B. Chinn

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Energy Corporation